

ASSURANCE OF VOLUNTARY COMPLIANCE

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CONSUMER PROTECTION DIV.

In the matter of

**Hockings Consulting, dba Help Your Diabetes
Dr. Jeff M. Hockings, and
Dr. D. Eliot Draluck,**

Respondents.

The above-named Respondents enter into this Assurance of Voluntary Compliance ("AVC") to resolve the Attorney General's concerns regarding Respondents' compliance with Iowa Code chapter 555A, the Iowa Door-to-Door Sales Act ("DTD Act") and § 714.16, the Iowa Consumer Fraud Act ("CFA"), in connection with the advertisement, marketing and sale of a diabetes management program known as, "Help Your Diabetes." Respondents' activities include:

- (a) a failure to provide to consumers certain cancellation notices required by Iowa Code §§ 555A.2 and 555A.3;
- (b) a requirement consumers to waive their right of cancellation in violation of Iowa Code § 555A.4; and
- (c) failure to refund payments of consumers who timely sought to cancel their "Help Your Diabetes" purchases, in violation of Iowa Code § 555A.4.


These alleged violations occurred prior to the "Accepted by" date of this AVC, below.

Respondents, and each of them, agree:

- (1) to refrain from engaging or participating, directly or indirectly, in any form of marketing that (a) involves advertising or sale to residents of Iowa, or is conducted in whole or in part from an Iowa location, and (b) involves the provision of any diabetes management programs, including but not limited to "Help Your Diabetes";
- (2) to provide a refund to each unrefunded Iowa who makes a request for one;
- (3) to refrain from any use or transfer of the names of Iowans who provided their contact information to Respondents;
- (4) to respond fully and promptly to requests from the Attorney General for information or materials relating to the activities prohibited above or compliance with the AVC; and
- (5) that any future violation of this AVC shall constitute a violation of the CFA, and that any such AVC violation if proved by a preponderance of the evidence shall give rise to civil penalties and other remedies as set forth in the CFA and/or other applicable law.


The undersigned, who have the authority to consent and sign on behalf of Respondent and the Attorney General of Iowa, hereby consent to the form and contents of this Assurance.

Date: 5/23/16



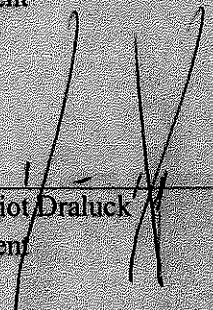
Dr. J. Murray Hocking, [name, printed]
for Hockings Consulting d/b/a Help Your Diabetes

Date: 5/23/16



Dr. Jeff M. Hockings
Respondent

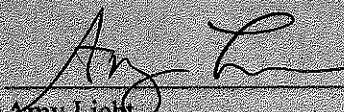
Date: 5/23/16



Dr. D. Eliot Draluck
Respondent

ACCEPTED BY:

Date: 6/10/16



Amy Licht
Assistant Attorney General